

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA

v.

Criminal No. 3:23cr92-01
-02

KULBIR KAUR and
HARMAPREET SINGH

MEMORANDUM ORDER

This matter is before the Court on the GOVERNMENT'S MOTION TO ADMIT CERTAIN REBUTTAL EVIDENCE (ECF No. 135), the supporting memorandum (ECF No. 136), the GOVERNMENT'S NOTICE OF CERTAIN REBUTTAL EVIDENCE (ECF No. 143), DEFENDANT SINGH'S RESPONSE TO GOVERNMENT'S MOTION TO ADMIT CERTAIN REBUTTAL EVIDENCE (ECF No. 152), DEFENDANT KAUR'S RESPONSE TO GOVERNMENT'S MOTION TO ADMIT CERTAIN REBUTTAL EVIDENCE (ECF No. 155), and the GOVERNMENT'S REPLY TO DEFENDANTS' RESPONSES TO GOVERNMENT'S MOTION TO ADMIT CERTAIN REBUTTAL EVIDENCE (ECF No. 159). At the instance of the defendants, the Court severed the trial on Counts Six and Seven which pertained to the bankruptcy proceedings, certain aspects of which is the subject of the United States' request to admit certain rebuttal evidence. However, the Court is unable to tell from all the briefing exactly what evidence would be admissible for the limited purpose of rebuttal as proposed by the Government. Rather surprisingly, the filings by the defendants suggest that one or more of the defendants may intend to offer evidence about the

defendants living separately. The Court does not understand from the filings of the defendants how such evidence would be relevant.

Accordingly, a hearing is necessary to determine whether, and to what extent, either defendant intends to offer testimony about being separated or living separately and, if so, for what purpose and also to ascertain precisely how the Government can put into evidence the matters that it proposes to offer in rebuttal (GOVERNMENT'S NOTICE OF CERTAIN REBUTTAL EVIDENCE (ECF No. 143)) because it is not clear from the Government's filing how such evidence might be presented.

Accordingly, during the conference call on January 2, 2024 at 10:30 a.m., the Court will hear argument of counsel on those issues.

The defendants each shall be in the offices of their respective counsel and on the telephone or may be connected in the telephone conference so that they can hear what is being said.

It is so ORDERED.

/s/ 
Robert E. Payne

Senior United States District Judge

Richmond, Virginia
Date: December 28, 2023